

**From:** TERI HINKLE <songbird@ili.net>  
**To:** <MSC\_clerk@courts.mi.gov>  
**Date:** 12/31/03 10:19AM  
**Subject:** Administrative File No. 2003-47

Supreme Court Clerk  
P.O. Box 30052  
Lansing, Michigan  
48909

RE: Proposed court Rule No. 2003-47

I am the Daughter in law and family spokesperson, of a deceased individual, Frederick Clyde Hinkle, who suffered from Asbestosis. Fred worked most of his life in a steel mill to provide for the four children he was raising alone. No effort on the part of the steel mill was ever made to advise him on the far-reaching and potentially debilitating dangers of exposure on a daily basis to Asbestos or any other harmful substance either to himself or his children to whom he carried home the dust on his person. It has been public knowledge since 1973 that the use of, or willing exposure to Asbestos regarding the public, on the part of Employers or other responsible persons, is STRICTLY ILLEGAL. Big business and government more or less chose to disregard this fact in favor of profit, and a whole lot of it.

The "Powers That Were", chose to take a huge risk on Future Litigation, in favor of their present Financial Gains at the time. These many years later THE GIG IS UP! The risk they took has come back to bite them in their collective hindquarters! Thousands of honest hard working citizens are now suffering long term, debilitating, life threatening, crippling and terminal decease as a result of long-term exposure to Asbestos. Some have already developed cancer; many others are in early or middle stages of the decease. But the bottom line is that EVERY SINGLE ONE OF THEM ARE VICTIMS OF THE SAME CORPORATE AND GOVERNMENTAL DISREGARD FOR THE WELL BEING OF THE COMMON WORKING CITIZEN AND THE FAMILIES THERE OF!

Now, it seems, the "Powers That Be", are of the same mindset. They seek to justify the breaking and manipulation of the law, the violation of our constitutional rights, the blatant disregard for the common citizenry, and choose instead to bow to the overwhelming influence, (and obvious advantages), of corporate America, on the side of "Profit Over Humanity"!

In this day and age, litigation on any level has become a common subject for discussion at most breakfast tables in America. Each day we are made aware by the media of some silly, wasteful and ridiculous, lawsuit, being brought by some equally silly and wasteful citizen over some real or imagined injury perpetrated by others. Naturally the trend is to sue those with the bucks. "McDonalds", the "Colonel", the "Grocery Store", the "Guy who "Shot you when you were trying to rob him", the guy down the street who is obviously successful but has a nice slippery walkway". Our courts, both Federal and on the State level are not only allowing this type of frivolous and damaging litigation by handing out outrageous settlements to those completely undeserving litigants but perpetuating the trend by doing so. At the same time, those citizens who have truly

been damaged without their consent or knowledge, with honest, legitimate and heretofore blind trust in those people in power over their lives, are suffering beyond measure because the litigants subject to their lawsuits are "Large Corporations, Powerful Law Firms, and Crooked Judges"!

Yes, I say, "CROOKED", because any judge or elected official who chooses to side with big business, a political parties' "Agenda", or any other group or individual adverse to the CONSTITUTIONAL RIGHTS OF EVERY CITIZEN OF THE UNITED STATES, is in fact, "A CRIMINAL".

What these people are not quite seeing is that their collective positions are not only subject to support by "BIG BUSINESS AND CORPORATE AMERICA", BUT BY THE COMMON MAN AND HIS OR HER INDIVIDUAL VOTE! As is evidenced by this letter, the common people, of whom I am most certainly one, are not stupid, unaware, blind or tolerant, of this type of GROSS MISCARRIAGE OF JUSTICE AND THE BLATANT VIOLATION OF OUR CONSTITUTIONAL RIGHTS!

It has been brought to my attention that not only has this petition for Administrative order or court rule been brought by powers, (large business concerns), championing an ultra conservative stance on the issue, but certain politicians, such as Dennis Archer, and huge law firms such as Dickinson -Wright, in which he was a partner before becoming the President -Elect of the American Bar Association, (SHAME ON YOU DENNIS), but most certainly not been a subject of media attention or public scrutiny. I vow that from this day, November 21, 2003, that will not be the case. I intend to perpetuate knowledge, comment, opinion, reaction and response to this issue, which has thus far remained a concern only to those affected by this heinous violation of American Rights given us by our Constitution, in favor of those who would profit by our collective injuries, sorrows, and tragedies.

I further intend to launch a public awareness of the fact that when citizens go to the polls to vote for major political figures, they are inadvertently voting for crooks by not paying attention to those lesser positions, the people running for them, and the political stances they may be taking or the fact that the voting public may be signing over it's RIGHTS by unknowingly voting unknown, unproven and possibly dishonest or questionable persons into office. Which, by the way, seems to be the case here.

I hereby state certain indisputable facts:

1. The Michigan Constitution as well as the United States Constitution makes it clear that judges are not to make the law but rather to interpret the law.

2. As per Administrative File No. 2003-47, it has been proposed that the Michigan Supreme Court under its general administrative power to control the procedures of all lower courts in the state, establish a court rule or administrative order creating a consolidated inactive asbestos docketing system for claimants with nonmalignant asbestos related conditions who evidence no physical or functional impairment, whereby such claimants, upon discovery of such condition, may file a notice with the Wayne County Circuit court and serve all defendants, thereby tolling the statute of limitations, and remain on the inactive docket until

objective medical criteria indicate that the asbestos-related condition has developed into a physical injury.

3. Before determining the validity of this proposal, all interested persons must have the opportunity to comment on the form or the merits of the proposal, or to suggest alternatives.

4. To date, there has been ONE Asbestos case tried before a jury to verdict in the entire state of Michigan. All other cases have settled out of court before trial.

I hereby address these facts as listed:

1. Number one is absolutely indisputable. Not by State Government, Greedy Politicians, Judges who's loyalties are twisted, or even by the common man.

2. Claimants with nonmalignant asbestos related conditions that evidence no Physical or functional impairment. , Are not the claimants this rule would affect, since they do not exist. No person diagnosed with Asbestosis can possibly hope for a future of no physical or functional impairment. Even an idiot can see there is no merit in the pursuit of such an oxymoronic train of thought.

3. Validity? Please, there is absolutely no grounds to assume even a hint of validity or merit in this proposal beyond the plain and simple unwillingness on the part of BIG BUSINESS, GREEDY POLITITANS, AND CROOKED JUDGES WHO OWE THEIR POSITIONS AND ALLEGIANCE THROUGH GRAFT AND CORRUPTION TO THE FIRST TWO MENTIONED!

4. If there has only been one case actually brought to trial, what then could be the motive behind such a proposal if not collective fear on the part of the responsible parties that other such litigations will follow? It's no wonder they are scared! They're GUILTY! Further, they stand to lose all those nice cushy, personally enriching and wonderful profits they reaped while literally poisoning the American public with known toxins!

Since, as I pointed out, even idiots could see through this ridiculous measure, we are left with one very important question. If not for graft, corruption, political manipulation (greed), and or stupidity, why then are we finding ourselves in a position to address it in the first place? We are, after all, Americans, endowed with all, (not just some), of the personal rights our BELOVED CONSTITUTION affords us and should not in any circumstance, find ourselves having to defend said document against any but those who would see it overturned for their own personal gains!

I do disagree that the crisis in Michigan regarding asbestos litigation is in fact, that big business, corporations, the asbestos industry, law firms like Dickinson Wright, and disloyal politicians like Dennis Archer feel free to attempt to take our rights to due process of the law out of our hands. I believe the CRISIS, is that the public heretofore has been grossly uninformed of the personal agendas of our legally elected officials and vow to do everything within my power to correct this situation. This is the information age and I truly intend to spread this information.

The CRISIS, ladies and gentlemen, is that even ONE, sweet; loving, caring Father could be deceived, hoodwinked and taken in by the employer he put his trust not only for himself but that of his precious families' future in. THIS IS THE CRISIS, THE CRIME, THE GROSS MISCARRAIGE OF JUSTICE, THE ABONINATION OF OUR PRESENT SOCIETY, AND THE SHAME THAT WE ALL MUST BEAR IF SUCH A LAW (DISGUISED AS A RULE OF COURT), IS ENACTED.

If this obviously slanted, contrived and fabricated stance by special interests, is adopted by the STATE OF MICHIGAN'S SUPREME COURT, it will set an undeniable precedent for other states to follow. It absolutely MUST, in the interest of all citizens of the UNITED STATES, BE STOPPED!

I AM QUITE SURE THAT NOT ONE OF THE LAWYERS, POLITICIANS, JUDGES OR SUPPORTERS OF THIS PROPOSAL HAVE EVER PUT THEMSELVES OR THEIR FAMILIES IN HARMS WAY OF ASBESTOSIS! THEY HAVEN'T LIVED WITH A LOVED ONE GASPING FOR BREATH AND DYING FOR LACK OF IT WITH OR WITHOUT CANCER. CANCER SHOULD NOT BE THE ISSUE ANYWAY, BREATH, AIR, AND OUR RIGHT TO BREATHE IT WITHOUT LINING SOMEBODIES POCKETS WITH PROFIT IS THE ISSUE!!

This letter is most sincerely signed by me, Teri Lynn Hinkle, spokesperson for the Hinkle family and all the following relatives and friends of Frederick Clyde Hinkle, deceased. These persons may or may not choose to write individually at some future date but wholeheartedly support my position.

Patrick Michael Hinkle  
Caitlin Scarlett Hinkle  
Eric Michael Hinkle  
Norma Jean Hinkle  
Susan Lenore Hinkle Nester  
Brian Baltutat  
Anthony David Hinkle  
Timothy Hinkle  
Dora Hinkle  
Tiffany Hinkle  
Charles Hinkle  
Stephan Hinkle  
Justin John Humble  
Charlotte Humble  
Marjorie Lucille Amoe  
James Lee Brown  
Angela Brown  
Dawn Brown  
Stephanie Brown  
Shannon Brown  
Devin Brown  
Dannielle Brown  
Warren Smith  
Paul Allen  
Cheryl Allen  
Alexis Allen  
Ralph Opfer  
Tammy Duffey  
Debbie Duffey  
Danielle Duffey

Rae Lea Rose